

# Natural Law Ethics




# Introduction

- We began with moral skepticism (briefly with logical positivism) and relativism
- What normative ethical theories try to do is provide:
  - *Identification* of what is good/bad—right/wrong
  - *Justification* of our moral beliefs and judgments
  - *Guidance* in ethical behavior and decision-making
  - *Motivation* for doing what is right



# Introduction

- We looked at three explicitly secular attempts to identify and justify objective morality on explicitly secular grounds
  - All emerged during the **Enlightenment** as formal theories (though they have probably been around in terms of the way some people acted) 
  - **Ethical Egoism** (Ayn Rand's version) is explicitly anti-Christian—**seeks to overthrow** (revisionist) its characterization of Christian ethics



# Introduction

- **Consequentialism** (**conservative** brand) and **Kantianism** sought to preserve the basic Judeo-Christian morality—apart from God
- What they did could be construed as adding some insights, but at the end of the day, they **don't really deliver** enough for a **stand alone** theory
  - A major problem is that they eliminate the **metaphysical underpinnings** of the Judeo-Christian morality and there's not enough left



# Introduction

- Teleological
  - Good on uncovering non-moral values such as pleasures, preferences, and the like
  - Good on seeing that making a better world is important
- Deontological
  - Good on issues like rational consistency
  - Good on seeing some things are wrong no matter the consequences



# Introduction

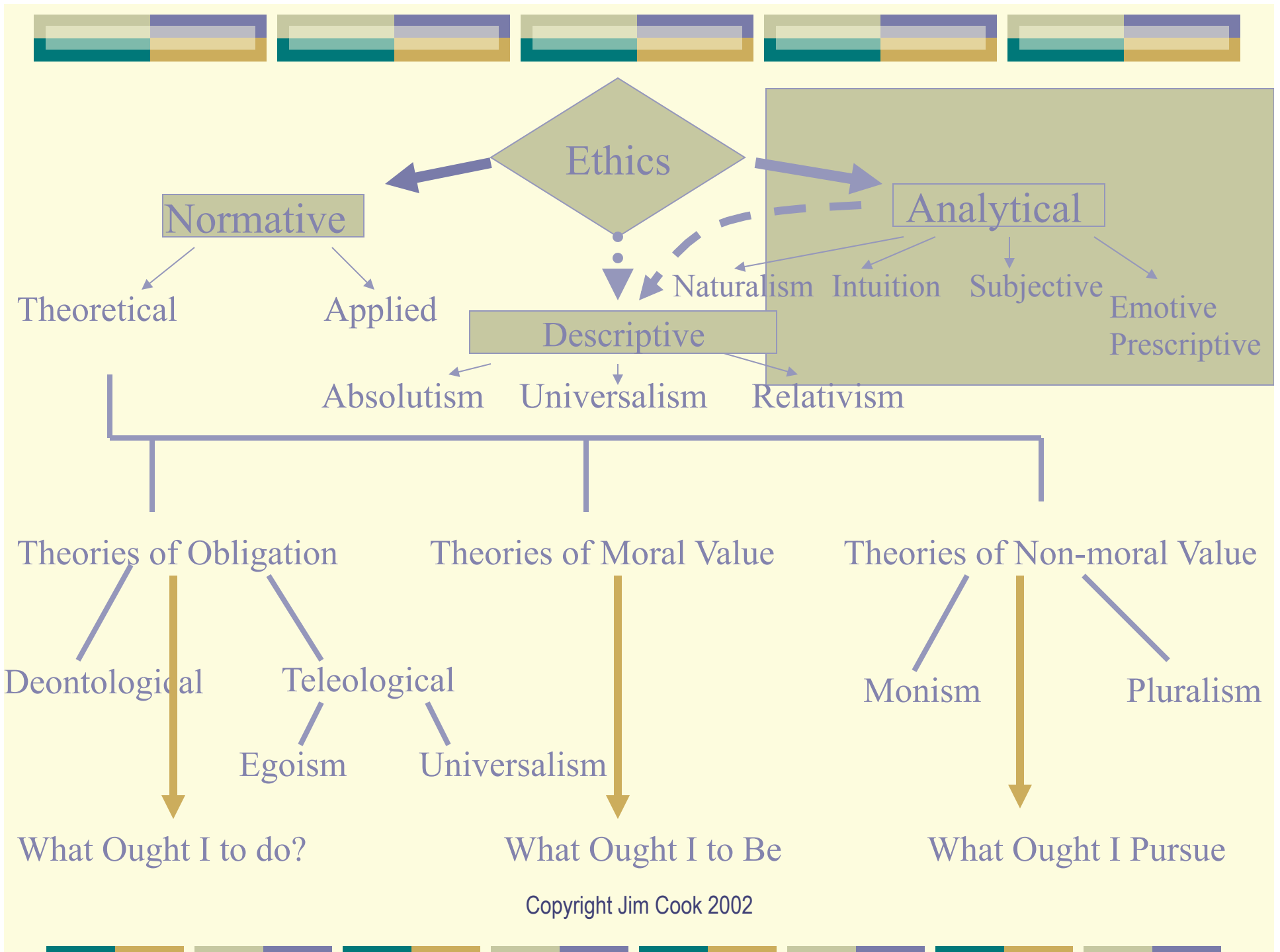
- However, it seems:
  - Consequentialism: all engine, no brakes
  - Kantianism: all brakes, no engine
- When we turned to eudaimonism and virtue ethics, we turned away from Enlightenment project to go back to the classic perspective



# Introduction

- So now let's go back to meta-ethics (asking meaning and justification type questions of normative theories) and look at Natural Law ethics







## 2. The Task of Metaethics

- Metaethics is the discipline that studies the **meaning** of moral terms and concepts as well as various moral utterances. It is the task of **clarifying** our moral language. Metaethics does not consist of empirical inquiries, nor does it try to answer either particular or general questions about what is good, right, or obligatory. **It asks and tries to answer logical, epistemological, and semantical questions.**





## 2. The Task of Metaethics

- Some metaethical questions:
  - What is the meaning or use of “right”, “good”, “should”, “ought”, etc.?
  - **How can ethical and value judgments be established or justified?** Can they be justified at all?
  - What is the cognitive status of ethical judgments?
  - What is the nature of morality?

# Introduction

- If moral skepticism and relativism are wrong, what **positive account** can we give for **objective values**, preferences, etc.?
  - We can list those common values that are found in every culture
  - But what account can we give of them?
  - What grounds them?
  - Is there an objective ground and how can we know it?



# Introduction

- Traditionally, the attempt to answer this has appealed to one of these:
  - **Nature**—“the way the world is made”
    - Human nature—the way we are made;
    - Holds objective morality is **built into our natures**, i.e., the way we work and the way the world works
    - Just a **brute fact**
    - This is equal to “natural law”; if you don’t like the term NL, then just say “objective morality”



# Introduction

## – God

- Morality is objective—not objective morality (as above), but grounded in God’s nature & will—what is Good is what He commands, approves of; what is bad is what he prohibits, disapproves of; this is called the **Divine Command Theory** (DCT).

## – Combination of nature & God—morality grounded in God and expressed in his purposes in the way he has created the world (nature and human nature)



# Introduction

- Review:
  - So our question is: is there an objective good and how can we know it and justify that we know it?
  - Traditional answers appeal to Nature and God (or a combination)
- Strategy: We'll first spend some time discussing the Nature alternative; then two units on the God alternatives



# 2 Questions

- (1) Is there a way human beings and the world are made and behave by their natures that constitutes a kind of objective moral order? So that to violate that order is to be bad, do wrong, etc.? (**ontological question**)
- (2) Can we get true insight into morality by reflection on the way human beings and the world are made and behave by their natures? e.g.: by reflection on the conditions for human flourishing/not flourishing? (**epistemological question**)



# The Ontological question

- Is there an objective natural/moral order?
- **Alternative (1): No**
  - Relativists: there is no objective morality at all
  - Constructivists: all values and ‘natures’ are socially constructed (Ruth Benedict)
  - Nominalists: **no real natures independent of how we think about them.** All meaning, values categories imposed by human perspectives and concepts





# The Ontological Question

- Voluntarists: X is valuable only because (some) S desires it or wills it
- Divine Command Theory (DCT): morality is objective, but has nothing to do with created, natural order



# The Ontological Question

- **Alternative (2): Yes, but. . . .**
- Appeal to what is ‘natural’, but (try to) avoid worldview assumption, and stick to uncontroversial observations about what people tend to do.
  - ‘Natural’ = ‘typical’
  - ‘Natural’ is a *descriptive* notion



# The Ontological Question

- **Alternative (3): Yes**
- Objectivists, traditional natural law theorist, realists, essentialists
- ‘Natural’ = according to our nature; related to our **flourishing** as we are beings of a certain kind, with certain natures, capacities, ends. ‘Natural’ is a *normative* notion



# The Ontological Question

- We'll need to see that the “natural law” issue is not between the “no” and the “yes, but. . . .” answers (options #1 & 2), but between the “no” and the “yes” answers (options #1 & 3)
- Note: the “yes, but. . . .” descriptive answer (which is uncontroversial observations about what people tend to do) is often seen as the natural law position
  - Just look at what people typically do and conclude that that is what moral



# The Ontological Question

- Common objection to this assumed natural law position is that this is an example of the “*naturalistic fallacy*” (i.e., a confusion between fact and value—an “is” and an “ought”); they’d be right about that
- But this (the “yes, but. . . . view) **isn’t** the natural law view
- Instead the natural law view is the “**yes**” **alternative**; ‘natural’ not what is “typical” but what is “**right is according to our nature**”—and this is a deeper and more difficult analysis to discover the right and the good



# The Ontological Question

- Let me illustrate:
  - ‘health’ ; how does one determine what health is with regard to human beings?
  - What is a healthy human being?
  - Do we look at what the majority of people eat and do for exercise?
  - No—in that sense ‘health’ is merely a **descriptive term**, not a **normative term**
    - Given the bodies we have and what we can tell the different organs are for (what their ends are), i.e., how we flourish physically—we arrive at a conception of health that tells us what we should eat and how much exercise—even if only a small proportion of people actually eat and exercises that way



# The Ontological Question

- So what's **the issue** between the 'no' and the 'yes' answer with regard to the ontological question, as to whether there is an objective natural/moral order?
  - *Realist point of view*: human beings are a particular kind of thing, with particular kinds of capacities, needs, ends, conditions for flourishing ***independent of our opinions***—we are rational, social, moral, responsible, spiritual beings by nature



# The Ontological Question

- There is something **real** that we all hold in common that make us all part of the same kind of thing—whether we are male/female, white, black, etc.—‘human nature’
- This makes us **distinct** from other kinds of things
- Implications:
  - Human institutions like marriage and the family are grounded in nature—can’t just decide to make it however we want; there would be an objective reality into which we would run





# The Ontological Question

- *Nominalist/voluntarist/constructivist point of view*: all there are are individuals, not **kinds of things**. There is nothing real that we hold in common (the only commonality would be a **construct of our minds**); our views of what it is to be a human being, human nature, and human institutions are simply **social constructions** that we **project** on to our experience (Ruth Benedict). There is no way to adjudicate between different social constructions
  - An implication is that we can reinvent (or re-construct) or account of human nature and human institutions by thinking differently about them



# The Ontological Question

- Don't have time to develop but it seems clear that human nature is not infinitely plastic—there are limits and ideals built in—conditions for flourishing, excellence, that is why there is common ground, why we agree on so many things; that's why projects to reinvent human nature, sexuality always ends up failing (but not without leaving causalities along the way)
- Time permitting I'll show you more detailed analysis of this view



# The Ontological Question

- This will call into question many of the social “experiments” of the 20<sup>th</sup> century
  - The sexual revolution
  - Take for example the Murphy Brown “debate”
    - Murphy has children out of wedlock
    - Dan Quayle objects
    - Response: don’ t impose your notion of family on us —be more tolerant
    - Response to that response: don’ t impose your notion of health on us (AMA); we do have norms as to what a well-functioning human being is like—2 parents do a better job



# The Ontological Question

- There are 2 further Christian considerations to lend support to the realist position
  - The *Imago Dei*
  - The incarnation/atonement—without objective human nature, how could Jesus truly represent human beings?
- All this is indicative of a deep philosophical division—metaphysics
- In any case, you can't do natural law and have objective moral obligations without realism in some form



# The Epistemological Question

- Switch to the Epistemological question: can we get moral insight **from the natural order?**
  - Alternative (1): **No**
    - Moral skepticism: there isn't any moral order to be discerned anywhere
    - Relativists, constructivists, nominalists, and Voluntarists: moral order is created rather than discovered



# The Epistemological Question

- DCT: We're fallen creatures; sin has so twisted our rational faculties that (even if there is or was an objective moral order) we have no access to it now; we have access to the moral order through divine revelation
- Alternative (2) Yes, but. . . .
  - Appeal to what is 'natural', but (try to) avoid worldview assumption, and stick to uncontroversial observations about what people tend to do.
  - But, again, this is only descriptive of typical behavior and not really a knowledge or moral insight



# The Epistemological Question

## – Alternative (3) Yes

- Since we have nature has an order to it and humans have natures which are **independent of our opinion** which we can **discover**, we have the possibility of moral insight; enough here to derive significant, substantive specific moral conclusions on a myriad of moral issues
- At this level, the moral insight would be focused on objective human flourishing; enough for grounding objectivity in moral values, establishing common ground in being able to speak, reason, and engage in some common causes with those of different belief systems
- Christian theists thinks there is common ground like this, but that “thin” ethics is supplemented by the “thicker” ethic of Scriptures and their ethical community



Stop Here





# Natural Law: Section II Christian Considerations

- Some things seen so far:
  - (1) “Thin” ethical theories are inadequate for a flourishing moral/social order. We need a substantive ethical vision
    - This is to say we need a “stand alone” theory or at least one that is **more adequate** than what we’ve seen so far
    - The more substance we have in answers to these questions we’ve just discussed (metaphysical and epistemological) the richer our ethical lives



# Christian Considerations

- The “modern experiment” (here I mean the generic project of building lives and society completely independent of God) has shown that the attempt to construct a society such as the American society without any substantive moral vision doesn't work
- This is what C.S. Lewis argues in his second essay in the *Abolition of Man*
- We've become a society of atomistic individuals competing against each other, rather than a true body politic seeking the common good



# Christian Considerations

- Part of our problem is that few of us are willing to make real sacrifices for the common good—we have nothing “bigger” than ourselves to fight for
- Social contract works (or at least works better) where there is a shared moral consensus—when people are living in communities of virtue



# Christian Considerations

- So we need a substantive moral vision—with ideals, vision, aspiration, well-being, a vision of the good life, & role models
- We need to have a story, a worldview, a thick ethical vision that captures our hearts, in order to put everything including moral values, into a meaningful context



# Christian Considerations

- (2) Substantive ethical visions are heavily dependent upon particular communities and their stories/worldviews
- (3) There is a diversity or plurality of ethical communities/stories/worldviews
  - This raises the question of relativism again.
  - We seem to have a **paradox**: we can't have an adequate moral vision without substantive world-view dependent moral content, but the **fact of pluralism** when it comes to such things seem to make having a **shared moral vision impossible**



# Christian Considerations

- Responses:
  - (a) “Christian” Liberalism: liberals continue to focus on the very **thin ties** that bind (“human rights”) and don’t really care what people believe about life, morality, the universe. That is, what doesn’t seem enough to tie anyone together
    - “Christian” liberals tend to be metaphysical agnostics and phenomenal constructivists—key to “thin” ethics and values



# Christian Considerations

- (b) Christian Communitarianism: communitarians concentrate on the **thick ties** that bind particular communities of virtue with particular stories, ideals, etc.
  - There is a **version of this** that occurs among Christian ethicist that **looks like** another form of Christian **relativism**. They agree that what's important about ethics is embedded in the thick ethical visions of particular communities
  - What's important to these thinkers is the Christian story and they seek to live as a Christian community in light of the story



# Christian Considerations

- In fact, most would assert, there just isn't anything to ethics outside of particular stories—no moral rationality to appeal to in order to judge different stories
  - This is because (1) they hold that the foundations of knowledge is community relative (2) they hold that foundations of morality is community relative
  - They hold these views because of the power of skeptical arguments—can't rationally prove Christian foundations are true
- Nonetheless, most Christian relativists (of this communitarian brand) **believe the Christian story to be true**—it is an accurate description of who we are, what our problem is, and what the solution is





# Christian Considerations

- Central to the solution is to live out the radical kingdom ethics of the Christian community
- Christians who have appeal to an objective moral order in order to find common ground with non-Christians have **watered down** what is the most significant about the faith
- The Christian ethics is for Christians only; it is radically different than all other ethical views
- Christians shouldn't try to “moralize” the world—or try to make them live up to Christian standards (only Christ can help us do that)

# Christian Considerations

- But rather witness to the radically different ethical vision of Christ by living it out as a **counter-cultural community**
- The church should be the church—that is live noticeably different than the world
- Only in this way will the world see the character of Christ and be attracted to it



# Christian Considerations

- Many Christians, including myself, have a great deal of respect for these folks and find themselves in agreement with much of their view. They are attempting to recover a lost heritage, and have a true diagnosis of much of Christian ethical thought
- But one could affirm all this—what they see as valuable in relativism—without accepting relativism, that is, even those who accept objectivism think that there are some things that are contextual
- First, let's take a minute and look at their problems:
  - (1) These folks think the Christian ethical vision is true—it fits reality that God exists and the Christian vision and community constitutes the flourishing life; without it, one would be worse off
    - But relativism prohibits one from drawing these conclusions in principle



# Christian Considerations

- Can't say it's true, but only a truth (if there is such a thing), no more true than any other view
  - But that's not what they think—we don't commit ourselves to the death or give up our personal agendas to live out an ethical vision for something we think is no more true than all the other ethical views out there
- (2) Being a witness to the culture typically means for them: pointing to the truth of the Christian worldview, so people will see it and its truth, and by the Holy Spirit accept it



# Christian Considerations

- But:
  - Relativism (of the sort they have embraced) entails the conclusions that there is **no truth to point to** and that no one outside the Christian community could by the lights of rationality see the truth that's inside of it—we're all locked in to our own circles
  - There wouldn't be a truth for the Holy Spirit to point to either



# Christian Considerations

- An alternative (point 3 on your notes)
  - Natural law is alternative to this view; could still have communitarian model
  - It doesn't promise the whole answer to the questions we've raised in the course, but it does promise a **rational foothold** on objective common ground between different ethical communities
  - It asserts there is an objective moral order, facts that can be appealed to outside particular worldviews and stories, which guide and constrain worldviews—data that all the stories and worldviews have to accommodate



# Christian Considerations

- This moral order is called ‘natural law.’
- The idea is that by reflection on (or intuition about) human nature—what we’re like, the way we’re made, how human beings and communities flourish—we can draw some basic moral conclusions about good/bad & right/wrong
- Note: not simply lowest common denominator, i.e., what everyone agrees on



# Christian Considerations

- It's not worldview neutral, standing outside of all worldviews.
- Rather, it is objective reality that is common to most if not all stories, can be reflected upon (or intuited) and defended rationally. It can be denied, but only at the expense of reality
- Violating the natural moral law is not like violating a traffic law; more like “violating” the law of gravity—you can try to violate it but you are the one who ends up with a broken nose from running into reality





# Christian Considerations

- According to natural law thinking we don't create values any more than we can create colors or numbers – they are given
- We can't make genocide good any more than we can blue be (without changing the color) green
- Some people may have thought genocide is good, just as some have thought blue was green, but both were wrong



# Christian Considerations

- Human flourishing can be realized in different forms and human nature can be expressed in different ways, but there are objective facts about both which constrain the possibilities (human nature is not infinitely plastic) and guide the pursuit we reflect upon them



# Christian Considerations

- A Christian perspective (point 4 on HO)
  - Many Christians have been suspicious of such thinking (Amos 1-2; Romans 1-2)
  - Based on evidence of God's creative purposes we see around us; make inferences about objective character of things



# Christian Considerations

- Assumptions
  - We have natures; we are made in a certain way
  - Or, we have designed natural tendencies to see things a certain way
  - Essence – there really is a natural order, natural kinds of things, which have essential, **defining properties**, capacities, ends, needs and conditions of flourishing/not (= essentialism or realism)



# Christian Considerations

- Can't invent human nature, try to make it whatever we want (as communists tried)
- More popular: conventionalism: all values, institutions, meaning, kinds of things – simply social conventions
- Imposed (compare with nominalism, voluntarism)
  - No human essence, no naturally morally relevant differences between human beings, other animals
  - No naturally morally relevant difference between men and women – all socially imposed;



# Christian Considerations

- Biology, reproduction, etc. are morally irrelevant; thus ‘gender’ is used and not ‘sex’ – not rooted in biology; can be chosen
- No natural basis for marriage – can decide to remove it or define it however “we” want
- Essentialism: human nature is not infinitely plastic – there are limits and ideals built (or designed) in; that is why there is common ground, why we agree on so many things; why projects to reinvent human nature, and sexuality always end up failing (but not with leaving causalities along the way)
- Maybe the sexual revolution was a bad idea



# Christian Considerations

- Benefits of Natural Law approach
  - **Objectivism**: provide a response to relativism. Have something objective to appeal to, and can expect to find common ground with people in other cultures and with other worldviews
  - **Common ground**
    - Because we do have common ethical ground, there is the possibility of rational discussion and debate on ethical matters



# Christian Considerations

- We have a common language and common concerns to appeal to in order to engage in rational persuasion
- We also are able to, in principle, engage in common cause – cooperation, **aiming at common goals and policies**, e.g. to reform the legal system, protect innocent human life, etc.
- Gives some basis for thinking that non-Christians can observe Christian ethics and find it attractive (on a rational basis not just Holy Spirit) and fulfilling of her own deepest moral intuitions





# Christian Considerations

## – Limitations

- We have **ontological common ground** because we actually do live in a created order (that really is there) and we are all created in *imago Dei*—we share that
- But only have a **limited epistemological common ground**; we should expect some agreement, that we can give good arguments for moral position, but not expect universal or inevitable agreement? Why?
  - Part of it is that our moral intuitions and rational reflections are supplemented by the Scriptures



# Christian Considerations

## – We are finite

- Cognitive limitations: no automatic inference from observation to conclusion about what's natural; we don't know everything and the evidence underdetermines the interpretations given for it
- This is why God has given us a natural tendency to see things a certain way (his laws written on our hearts) and why God gives us special revelation to interpret it for us—to make it clear.
- We need to view nature through the overlay of the new creation that God is aiming at



# Christian Considerations

## – We are fallen

- Noetic effects of sin: we tend to pervert, misconstrue what we see to fit what we want
- What seems “natural” to us as individuals can become what is in fact against nature of God created it. Which is why we need special revelation (salvation, grace of God, Bible) to correct our vision and keep us on track



# Christian Considerations

- The distinctiveness of Christian ethics
  - Christian relativists overstate this – Christian ethics is more than creation ethics, but not less;
    - Still the mission of the church is not ethics in general—to be moral and try to get everyone else to be moral
    - The basic human problem is not the **horizontal** moral problem (important as that is); the problem is the **vertical** moral problem—a spiritual problem that needs a spiritual solution



# Christian Considerations

- We need to avoid the extremes of refusing ethical involvement with other human beings
  - On the one hand (seeing no common ground, or avoiding engaging in any common causes)
  - Or on the other hand reducing the gospel to moralism (either conservative or liberal)
- Paradoxically, it does seem to be true that the most effective way for Christians to impact the world ethically is living out the gospel in the Christian community and proclaiming the gospel to the world



# Christian Considerations

- Not by specifically trying to impact the world ethically on the world's terms.  
Why?
- What people need even more than ethical change is spiritual change and people learn best by **internal transformation** and by example, seeing, vision, not just by word (role models)



# Christian Considerations

- What we can draw from nature
  - Basically what we draw from nature morally is “thin” and minimal and general
  - That’s not all bad—it forms the basic contours of what an ethic can be and provides the possibility of some common ground
  - But we can’t live successfully on mere generalities; our ethical lives are necessarily fine-grained, highly articulated



# Christian Considerations

- We have to deal with specific people, specific situation and specific problems
- But fine-grained, “thick” understanding of ethical concepts are much more the product of our story, our beliefs and practices, the shape of the ethical community in which we live
- This is the way we are made—by the way **non-Christians ought to see this problem and yearn for more**





# Christian Considerations

- This is the way we are made, it's inevitable – just as you can't be rightly raised by families in general, but only by a particular family (fruits of this truth are certainly being borne right now), so you can't live the ethical life merely on the basis of generalities
- C.S. Lewis: minimal morality not enough to sustain culture
- Thus we can not in this fallen world expect full agreement or persuasion

# Christian Considerations

- The ethical life is fundamental participation in an ethical community;
- Life as the people of God is life in the community of faith and that should be our priority – follow Jesus, let the church be the church
- At the same time we can have confidence that we can address ethical issues in the public square and there appeal to reasons and considerations like we have discussed

